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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,258	11/27/2001	Fabrice Marinct	00R027254350	1339
27975 7590 08/16/2007 ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			EXAMINER REVAK, CHRISTOPHER A	
			ART UNIT 2131	PAPER NUMBER
			MAIL DATE 08/16/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/995,258	<b>Applicant(s)</b> MARINET ET AL.	
	<b>Examiner</b> Christopher A. Revak	<b>Art Unit</b> 2131	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17-32 and 42-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-32 and 42-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. The objection to the specification and drawings is hereby withdrawn by the examiner in response to the Applicant's amendments.
2. Applicant's arguments filed have been fully considered but they are not persuasive.

The applicant argues that the prior art teachings of Morozumi fail to disclose of a "source for generating a random signal".

The examiner disagrees with the applicant's remarks, in response to applicant's argument that the prior art teachings fail to disclose of a "source for generating a random signal", a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. The claims only recite of a "random component" that it not further limiting as to the functionality it performs, but rather, the "random component" is merely interpreted as any type of component and the teachings of Morozumi meet the applicant's claim language.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 17-32 and 42-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Morozumi, U.S. Patent 4,862,237.

As per claim 17, Morozumi discloses of a random signal generator comprising an electronic noise source comprising a folded MOS transistor having a drain-source current with a random component, said folded MOS transistor comprising a drain and a source with a folded channel defined there between, and a circuit for generating a digital signal based on the random component (col. 3, lines 5-22 and col. 9, line 60 through col. 10, line 15).

As per claims 18,26 and 43, it is disclosed by Morozumi that the channel is S-shaped and has a size that is at a resolution limit based upon manufacturing technology (as shown in Figure 14a, #124).

As per claims 19,27, and 44, it is taught by Morozumi that the channel is zigzag-shaped and has a size that is at a resolution limit based upon manufacturing technology (as shown in Figure 14a, #124).

As per claims 20,28, and 45, Morozumi discloses of a reference transistor connected to the folded MOS transistor, the reference transistor receiving gate voltage and a bias current equal to a gate voltage and a bias current applied to the folded MOS transistor for causing the drain-source current therefrom to randomly vary (col. 11, lines 5-23).

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As per claims 21,29, and 46, Morozumi teaches of a comparison circuit for comparing the randomly varying drain-source current to a detection circuit (col. 3, lines 5-22 and col. 9, line 60 through col. 10, line 15).

As per claims 22,30, and 47, it is disclosed by Morozumi that the comparison circuit determines a difference between the randomly varying drain-source current and the detection circuit and further comprising an amplifier for amplifying the difference (col. 12, lines 26-46).

As per claims 23,31, and 48, it is taught by Morozumi that the circuit comprises a sampling circuit for sampling the digital signal for providing a random digital word (col. 3, lines 5-22).

As per claims 24,32, and 49, Morozumi discloses of an integrating circuit for maintaining a gate voltage on the folded MOS transistor within a desired range of values (col. 11, lines 5-23).

As per claim 25, the teachings of Morozumi disclose of a random signal generator circuit that comprises a plurality of random signal generators, each random signal generator comprising an electronic noise source comprising a folded MOS transistor having a drain-source current with a random component, the folded MOS transistor comprising a drain and a source with a folded channel defined there between, and a circuit for generating a digital signal based upon the random component. A logic circuit connected to the plurality of random signal generators for combining the digital signals for generating a digital number (col. 3, lines 5-22 and col. 9, line 60 through col. 10, line 15).

As per claim 42, the disclosure of Morozumi recites of a method for generating a random number from an electronic noise source. A folded MOS transistor is provided having a drain-source current with a random component, the folded MOS transistor comprising a drain and a source with a folded channel defined there between, and a random digital signal is generated based upon the random component (col. 3, lines 5-22 and col. 9, line 60 through col. 10, line 15).

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CR

  
August 13, 2007

CHRISTOPHER REVAK  
PRIMARY EXAMINER

